

Dear Legislators:

We write to you on behalf of our son, Peter Nicita and grandchildren Alec and Madison Nicita. Our son, Peter has been divorced since 2001. Since 2000, just prior to his divorce and since, he has struggled with the family court process. Although Peter shared custody with his kids and he saw them often, the system continued to fail him and his children. Overall, the courts failed to protect what is best for the children, a relationship with both parents and their extending families. Court orders were not followed and ultimately it destroyed the relationship those orders were intended to protect. Measurements were put in place to protect the children and the family, including a Guardian ad Litem, but the efforts and intent of the GAL were inadequate.

We, the paternal grandparents to Alec and Madison have not seen them since Christmas of 2010, over three years. It has been heartbreaking to us that they are alienated from us, despite Peter's efforts in and out of courts to ensure a relationship with them.

Peter is a loving parent and has always provided for his children. There was never any abuse or neglect. Peter is a professional white collar worker, that always spent time with his children.

It is my understanding that a Guardian Ad Litem (GAL) is to communicate with his/her client's family (i.e grandparents) as part of his or her investigation to seek what is in the Best Interest of a Child. I (Elleen Nicita) tried to communicate with the children's Guardian ad Litem (Tom Fiorentino), but my communications were ignored. Was the GAL really being diligent in his efforts?

The State of Connecticut has proposed bill #494 to correct some of the vast problems that are prevalent in the state's family courts. I have reviewed the proposed bill. It is quite obvious the bill has no mention of:

1. The accountability of the GAL (or attorney for the children) when the professional does not complete his/her job according to state procedures
2. An independent department that a party can file complaints to when the GAL (or attorney for the children) are not following proper procedures
3. How the state will treat concerns about children that are alienated from a loving parent
4. The consequences for any parent that does not follow court orders
5. Maximum fees a GAL (or attorney for the children) can charge, for the entire engagement
6. Improvement on court operations and processes to address parental alienation. A parent should not wait months to obtain a hearing when parenting access is being violated
7. A parent should not be responsible for a GAL's (or attorney for the child) legal representation
8. A parent should not be incarcerated for not having the ability to pay a GAL (or attorney for the children) fees
9. A parent's home nor their retirement assets should be a source for GAL income
10. Shared parenting is a proven benefit to children and should be adopted as a presumption

Our children are dependent on the adults to provide, love and care for them.

Please consider all avenues that will benefit the Family Courts in the state of Connecticut, including some of the issues described above.

Thank you for your attention.

Sincerely,
Peter and Elleen Nicita (Grandparents)